

### **REMARKS/ ARGUMENTS**

Applicant has carefully studied the final Examiner's Action mailed January 17, 2008, having a shortened statutory period for response set to expire April 17, 2008. The amendment appearing above and these explanatory remarks are believed to be fully responsive to the Action. Accordingly, this important patent application is now believed to be in condition for allowance.

#### ***Amendments to the Specification***

Applicant has amended the specification, particularly the claim to priority. It recently came to Applicant's attention that the priority claim was recited to a Czech Republic patent application, and should read to an Italian patent application. Applicant respectfully requests the priority be amended.

#### ***Claims Amendments***

Claims 3 through 14 have been amended pursuant to Examiner's suggestion, with the exception that claims 4 through 14 recite "The device according to ..." instead of "A device according to ..." as suggested by Examiner. In claim 11 Applicant recites "adsorbent cylinders" instead of "small cylinders". Additionally, "symmetrically" was not added to claims 6 and 7, and deleted from claims 7 and 8. An additional claim was added, claim 15, drawn to a device using a plurality of rods and wells.

Applicant has replaced the transitional phrase "characterized by the fact" with "wherein" in claims 5, 7, 8, 10, and 11. Applicant previously amended claims 4, 6, 9, 12-13 to recite the "wherein" transitional phrase. Likewise, Applicant has replaced "receives" in claims 6-9 with "supports" and canceled claim 14.

Applicant amended claim 3, replacing "constituted by" with "comprising" and redrafted the limitations drawn to the device. Office stated claim 2 recites a rod introduced directly into an entire sample. Applicant was unable to identify such language in claim 2, but found such language recited in claim 3. The limitation of claim 3 drawn to a rod introduced directly into an entire sample has been amended.

#### ***Claims Objections***

Claims 3 through 14 are objected to because claim 3 fails to use appropriate claims transitional language. Office found Claim 2 provides for introducing a rod directly into an entire sample. Further, claims 6, 9, and 12 through 14 recite "characterized by the fact", which is not

appropriate claims transitional language. Claims 6 through 9 use the phrase "receives" instead of "supports". Finally claim 14 appears to be the same as claim 12 and must be cancelled.

Applicant has amended the claims as described *supra* in the *Claims Amendments*.

Applicant was unable to identify the objected to phrase in claim 2, however identified the phrase in claim 3 and accordingly amended claim 3. Applicant believes the claims revisions address Examiner's concerns and respectfully requests withdraw of the objections.

### ***35 U.S.C. § 112***

Claims 3 through 14 stand rejected under 35 U.S.C. § 112, second paragraph for failing to particularly point out and distinctly claim the subject matter of the invention. Applicant gratefully acknowledges Examiner's recitation of the claims rejection and proposed claims amendments. Applicant has amended the claims to substantially correspond to Examiner's proposed claims, as discussed *supra*. Applicant believes the claims revisions clarify the intended parts of the device, rendering the 35 U.S.C. § 112, second paragraph rejection moot.

As such, Applicant respectfully requests that the rejection of claims 3 through 14 be withdrawn.

### ***Conclusion***

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. If the Office is not fully persuaded as to the merits of Applicant's position, or if an Examiner's Amendment would place the pending claims in condition for allowance, a telephone call to the undersigned at (813) 925-8505 is requested.

Very respectfully,

**SMITH & HOPEN**

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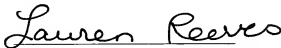
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**(37 C.F.R. 2.190 (b))**

I HEREBY CERTIFY that this correspondence is being electronically transmitted to the Patent and Trademark Office through EFS Web on April 17, 2008.

Date: April 17, 2008

  
Lauren Reeves